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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 402320)

In re the Patent of:

Lemay et al.

U.S. Patent No. 6,802,778

Serial No. 09/659,955

Filing Date: September 12, 2000

For: Gaming Apparatus and Method with
Operator-Configurable Paytables

Customer No. 27717

Certificate
NOV 28 2008
of Correction

TO: Mail Stop Certificate of Correction
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 C.F.R. 1.322

Dear Sir:

It is hereby requested that the Director issue a certificate of correction with respect to the above identified patent, for a mistake incurred through the fault of the PTO. The mistake occurs in the patent, claim 1, in column 10, line 35. The word "if" is missing before the words "said game operator."

Attached to this request as Exhibit 1 is a copy of the amendment forwarded to the PTO on May 6, 2004. Claim 34, which is presented on page 2 of the amendment, became claim 1 of the patent after it was modified by an Examiner's Amendment. A copy of the Examiner's Amendment is attached as Exhibit 2. Unfortunately, the Examiner's Amendment contained a typographical error (on page 3) in which the word "if" was not presented before the words "said game operator" and this error was not noticed until recently. The earlier listing of claim 34 with the word "if" and obvious

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proper grammatical usage requires that the term "if" be located before the words "same game operator." Therefore, the Certificate of Correction should issue to reflect this mistake by the PTO.

Respectfully submitted,
SEYFARTH SHAW LLP

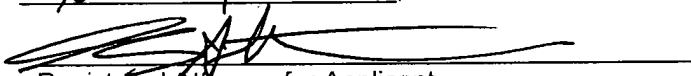


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Attorney for Applicant

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Certificate of Correction, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Nov. 24, 2008.



Registered Attorney for Applicant
Date: Nov. 24, 2008

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6802778

APPLICATION NO.: 09/659955

ISSUE DATE: : October 12, 2004

INVENTOR(S) : Lemay et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:
Column 10, line 35 insert "if" before "said game operator".

MAILING ADDRESS OF SENDER (Please do not use customer number below):

George H. Gerstman, Reg. No. 22,419
Seyfarth Shaw LLP, 131 S. Dearborn St., Chicago, IL 60603
312-460-5567

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 402320)

In re the Application of:)

STEVEN G. LEMAY ET AL.)

Serial No.: 09/659,955)

Filed: September 12, 2000)

For: GAMING APPARATUS AND)
METHOD WITH OPERATOR)
CONFIGURABLE PAYTABLES)

Art Unit: 3713

Examiner: Brockett, Julie

TO: MAIL STOP: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action of January 6, 2004, please amend the following:

The Listing of Claims begins on page 2.

The Remarks begin on page 4.

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LISTING OF CLAIMS

1-33. (Cancelled)

34. (New) A method for configuring a payable for a gaming terminal, the gaming terminal having a processor which controls game play of said gaming terminal, said processor coupled to a memory, a display device, and at least one input device, comprising:

receiving identification from a gaming operator;

comparing said identification information with authorized identities to verify that said gaming operator is authorized to access paytables of said gaming terminal;

displaying, on said display device, a setup routine including paytables which are available;

enabling said gaming operator, using said input device, to either select one of said available paytables without modification, or to modify the payable thereby creating a new payable;

the displayed available paytables having advance government approval;

if said gaming operator selects one of the displayed available paytables, then using said selected payable and exiting said setup routine;

if said game operator chooses to modify a payable, then displaying on said display device, information for enabling the operator to modify said payable;

thereafter electronically transmitting information from said gaming terminal resulting from said operator selection for government regulatory approval;

thereafter electronically receiving at said gaming terminal a message if the results fail to obtain government regulatory approval; and

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storing said modified payable in said memory and enabling play with said modified payable only if government approval is obtained.

35. (New) The method of claim 34, in which said gaming operator modifies the payable thereby creating a new payable by changing the magnitude of a monetary prize, in the absence of an ability of said gaming operator to define or change a prize win frequency.

36. (New) The method of claim 34 in which, when the gaming operator chooses to modify the payable, the gaming terminal outputs at least one suggested modification of said payable when the modified payable fails to obtain said government regulatory approval.

37. (New) The method of claim 34 in which said payable is modified thereby creating a new payable by a change in overall payback percentage.

38. (New) The method of claim 34 in which the step of modifying the payable thereby creating a new payable includes the step of calculating all possible game outcomes of said new payable and any prizes associated with each possible game outcome.

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REMARKS

A request for a one-month extension of time to respond to the Office Action of January 6, 2004 has been filed with the Request for Continued Examination, so that the due date for response is May 6, 2004.

The following is a written summary of the interview of 27 April 2004 with Examiner Brockett and George Gerstman, attorney for applicants. As stated by the examiner, the proposed claim 34 was discussed and amended, and examiner Brockett concluded that claim 34, as it stands, overcomes the prior art in that the gaming machine electronically transmits information for government regulatory approval, and that the gaming machine receives a message if the results fail to obtain government regulatory approval.

It is believed that the examiner agrees that claim 34 is supported by the disclosure of this application. Also, new dependent claims 35, 36, 37 and 38 are respectively supported by cancelled claims 3, 6, 27, and 30, as well as other disclosure in the application.

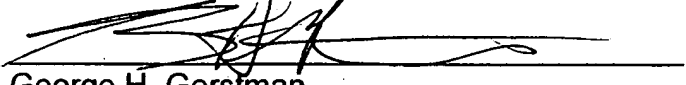
In view of the examiner's acknowledgment of patentability of claim 34 over the cited prior art, it is believed to be unnecessary to discuss the specific details of the Office Action of January 6, 2004, since all claims rejected therein have been cancelled.

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In view of the above, allowance of the claims is respectfully requested.

Respectfully submitted,

SEYFARTH SHAW LLP


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 6, 2004.


Registered Attorney for Applicant
Date: May 6, 2004

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SEYFARTH SHAW
ATTORNEYS

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Lemay et al 09/659,955

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Lemay et al 09/659,955

~~15 738 22 1 0 1 0 0 0 0 1 3 1 0 0 0 1 0 3 8 1 0 0~~

Gaming App. + Meth. w/OPERATOR

Mark/Title: CONFIGURABLE PAYTABLES Ser. No.:

File No.: 402320

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Please receipt-stamp and mail this card to acknowledge the Patent and Trademark Office's receipt of the following attached documents:

*Request for Continued Examination and
Extension of Time
2 Checks - \$ 770 + \$ 110
Amendment*

Respectfully submitted,

Applicant's Attorney

*09/659,955
LEMAI ET AL.
9/12/00*

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George Gerstman on July 2, 2004 and on July 6, 2004.

The application has been amended as follows:

Claim 34: A method for configuring a payable for a gaming terminal, the gaming terminal having a processor which controls game play of said gaming terminal, said processor coupled to a memory, a display device, and at least one input device, comprising:

receiving identification information from a gaming operator;

comparing said identification information with authorized identities to verify that said gaming operator is authorized to access paytables of said gaming terminal;

displaying, on said display device, a setup routine including paytables which are available;

enabling said gaming operator, using said input device, to either select one of said available paytables without modification, or to modify the payable thereby creating a new payable;

the displayed available paytables having advance government approval;

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said game operator chooses to modify a payable, then displaying on said display device, information for enabling the operator to modify said payable;

thereafter electronically transmitting information relating to said modified payable from said gaming terminal resulting from said operator selection for government regulatory approval;

thereafter electronically receiving at said gaming terminal a message if said modified payable fails to obtain government regulatory approval; and

storing said modified payable in said memory and enabling play with said modified payable only if government approval is obtained.

Allowable Subject Matter

Claims 34-38 are allowed over the prior art of record. They have been renumbered as claims 1-5.

The following is an examiner's statement of reasons for allowance: The prior art of record does teach of gaming operators modifying paytables on gaming machines and gaining regulatory approval for paytables. The prior art teaches of gaining regulatory approval prior to modifying paytables in gaming machines. However, the prior art lacks in teaching transmitting information relating to the payable for government approval directly from the gaming terminal and receiving a message at the gaming terminal if the information relating to the payable fails to obtain regulatory approval.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Amendment

It has been noted that claims 1-33 have been cancelled. New claims 34-38 have been added.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie K Brockett whose telephone number is 703-308-7306. The examiner can normally be reached on M-Th 7:30-5:00.

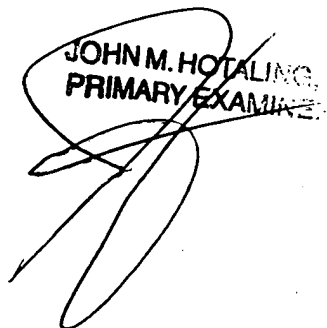
The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit: 3713

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Julie K Brockett
Examiner
Art Unit 3713


JOHN M. HOTELLING
PRIMARY EXAMINER

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